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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
DENY SORTO-FUENTES,)
)
Defendant.)

No. CR 06-815 SI

[PROPOSED] ORDER AND STIPULATION
EXCLUDING TIME FROM JANUARY 12,
2007 TO FEBRUARY 16, 2007 FROM THE
SPEEDY TRIAL ACT CALCULATION
(18 U.S.C. § 3161(h)(1)(G) & (h)(8)(A))

The parties appeared before the Court on January 12, 2007. With the agreement of the parties, and with the consent of the defendant, the Court enters this order (1) scheduling a change of plea date to February 16, 2007, before the Honorable Susan Illston; and (2) documenting the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(1)(G) & (h)(8)(A), from January 12, 2007 to February 16, 2007. The parties agreed, and the Court found and held, as follows:

1. The parties agreed to an exclusion of time under the Speedy Trial Act. Failure to grant the requested continuance would unreasonably deny both government and defense counsel reasonable time necessary for effective plea negotiations. The exclusion of time is also justified

1 because both the government and defendant are awaiting the transfer of defendant's supervision
2 and supervised release violation from the Southern District of Texas.

3 2. Given these circumstances, the Court found that the ends of justice served by
4 excluding the period from January 12, 2007 to February 16, 2007, outweigh the best interest of
5 the public and the defendant in a speedy trial. Id. § 3161(h)(1)(G) & (h)(8)(A).

6 3. Accordingly, and with the consent of the defendant, the Court ordered that the period
7 from January 12, 2007 to February 16, 2007 be excluded from Speedy Trial Act calculations
8 under 18 U.S.C. § 3161(h)(1)(G), (h)(8)(A), & (B)(iv).

9 4. The Court scheduled a change of plea hearing or status on February 16, 2007, at 11:00
10 a.m.

11 IT IS SO STIPULATED.

12 DATED: _____


13 /S/
ERIKA R. FRICK
Assistant United States Attorney

14
15 DATED: _____

16 /S/
BARRY S. PORTMAN
Attorney for Deny Sorto-Fuentes

17 IT IS SO ORDERED.

18
19 DATED: _____

20 
THE HON. SUSAN ILLSTON
United States District Judge